

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JANUARY 20, 1971

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, January 20, 1971, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,  
KATNICH, KIRSTEN and  
SCHAFFER (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen, Planning Director Schroeder and Public Works Director Jones.

PLEDGE

Mayor Schaffer led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Ehrhardt, Katnich second, the Minutes of January 6, 1971 were approved as written and mailed.

PUBLIC HEARINGS

APPEAL  
K. LANE  
CONT'D.

Notice thereof having been published in accordance with law, Mayor Schaffer called for the public hearing on the appeal of Mr. Kenneth Lane from the decision of the Planning Commission in denying his request for a variance to reduce the required front yard from 20 feet to 18 feet to permit the erection of a covered front porch at 833 Holly Drive in an area zoned R-2, Single-Family Residential.

Planning Director Schroeder introduced the matter and explained that Mr. Lane had poured a concrete porch across the front of his home at 833 Holly Drive and now wished to cover the porch. The porch would then encroach into the required front yard by two feet. The Planning Commission determined that no hardship existed and denied the Variance request.

Mr. Kenneth Lane, 833 Holly Drive, stated he had informed the City Building Department of his plans to pour the concrete and erect a front porch but had been assured he did not need a building permit. He said after he had poured the concrete he was then informed by an employee in the Building Department that he did need a building permit, and that the porch, if constructed as planned, would require a Variance. He requested the Council grant the Variance so that he might construct the porch as planned.

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Mr. Schroeder explained that a building permit was not needed to pour the concrete but one would be required to construct the porch overhang since it would encroach into the required front yard.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

After Council discussion, Councilman Kirsten moved the Variance request be denied. The motion was seconded by Councilman Ehrhardt. Discussion continued, and Councilman Kirsten then offered a substitute motion that the matter be continued to the meeting of February 3, 1971 so that further information may be obtained concerning the misunderstanding that apparently exists between Mr. Lane and the City Building Department. The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.

#### IMPROVEMENTS REQUESTED - LAWRENCE RANCH SUBD.

Mrs. Joy Walker, 711 Donner Court, addressed the Council requesting certain improvements in the area of Lawrence Ranch Subdivision, Lawrence Park and the Grape Festival property. Mrs. Walker stated there is a need for sidewalks and street lighting in this area and also requested that Calaveras Street and Donner Street be widened. She pointed out that the School District has discontinued bus service to this area and she felt the lack of sidewalks created a safety hazard to school children walking to school. She also requested a crosswalk across Lockeford Street at Calaveras Street.

The following persons also spoke concerning the above request:

Mrs. Treva Reed, 721 Donner Court  
Mrs. Marilyn Goehring, 1913 Ayers Avenue  
Mr. Ralph Wetmore, Principal, Lodi Senior  
Elementary School 530, Connie Street

A letter was also presented from Mr. Floyd W. Holmquist, 405 Sonora Avenue, requesting street improvements for the above area.

The Council discussed the request presented by Mrs. Walker. Mayor Schaffer then instructed the staff to study the request and to prepare a recommendation for Council consideration at the next regular meeting.

#### PLANNING COMMISSION

The City Manager gave the following report of the City Planning Commission meetings of January 11, 1971 and January 18, 1971:

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AMEND  
ZONING ORD.

The Planning Commission recommended that the Zoning Ordinance be amended to include a Floodplain District (FP) and that the area along the Mokelumne River channel between the Central California Traction Company bridge and a point west of the Town of Woodbridge as defined by the U.S. Army Corps of Engineers be zoned FP. On motion of Councilman Kirsten, Ehrhardt second, the matter was set for public hearing on February 17, 1971.

OF INTEREST

Other actions of interest were as follows:

1. Presented former Planning Commissioner Richard March a Resolution commending his 9 1/2 years of service to the City of Lodi.
2. Denied the request of Mr. C. R. Lohr for a change in zoning from the R-2, Single-Family Residential District to the R-GA, Garden Apartment Residential District for a 1/2-acre parcel located at 1401 West Lockeford Street.
3. Denied the request of Mr. Gene J. Kramer for a change in zoning from the R-1, Single-Family Residential District to the R-GA, Garden Apartment Residential District, for a four-acre parcel located on the west side of South Mills Avenue, 315 feet north of West Lodi Avenue and 495 feet south of West Pine Street.
4. Denied the request of Marchel, Inc. by Mr. C. L. Jones for a change in zoning from the C-P, Commercial-Professional District to the C-1, Neighborhood Commercial District for a one-acre parcel at the northeast corner of South Ham Lane and West Kettleman Lane.
5. Recommended that the County Board of Zoning Adjustment deny the request of Mr. Reinhold A. Frey for a use permit to permanently occupy a mobilehome at 222 East Kettleman Lane, 250 feet to 550 feet west of South Stockton Street in an area zoned I-PA, Interim-Protective Agriculture.
6. Approved the request of Warren's Drive-in Restaurant by Mr. Warren McMillen for a use permit to relocate and reconstruct an existing drive-in restaurant at 410 West Kettleman Lane in an area zoned C-S, Commercial Shopping District.
7. Continued consideration of the Specific Plan for East Lockeford Street between the Southern Pacific Railroad right-of-way and North Cherokee Lane. This action was taken in order that the Board of Directors of the Grape Festival and National Wine Show, the City Recreation and Parks Commission and the Board of Directors of the Lodi Cold Storage Company could review the various alternates.

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8. Denied the request of Mr. Robert H. Organ for a Variance to increase the maximum fence height "four to six" inches to provide more privacy and additional safety for a newly-constructed swimming pool at 1180 Orangewood Drive in an area zoned R-1, Single-Family Residential.

LOCKEFORD  
STREET  
WIDENING

At the request of the City Manager, Public Works Director Shelley Jones reviewed for the Council's information plans for the future development of East Lockeford Street between the Southern Pacific Railroad right-of-way and North Cherokee Lane. The Planning Commission reviewed the proposed plans at its meeting of January 18, 1971 and continued the matter to the meeting of February 8, 1971 in order that the Recreation and Parks Commission and the Board of Directors of the Grape Festival and National Wine Show might review them.

COMMUNICATIONS

ABC LICENSE

A notice of Application for Alcoholic Beverage License was read for Jose Regalado, 27 Club, 27 North Sacramento Street, on sale beer, public premises, person-to-person transfer.

APPEAL -  
MARTHEL, INC.

A letter was read from Mr. C. L. Jones on behalf of the Marthel, Inc. appealing the Planning Commission's decision in denying his request for a change in zoning from the C-P, Commercial-Professional District to the C-1, Neighborhood Commercial District for a one-acre parcel at the northeast corner of South Ham Lane and West Kettleman Lane. On motion of Councilman Kirsten, Ehrhardt second, the matter was set for public hearing on February 17, 1971.

APPRECIATION -  
POLICE DEPT.

The City Clerk read a letter from Mr. Millard W. Beckman of Beckman and Company, Inc., commending the Police Department and especially Sergeant Robert Wetzell and Lieutenant Al Cross for their investigation of the burglary of Beckman and Co., Inc.

ECOLOGY

RES. NO. 3457

At its meeting of December 2, 1970 the Council requested the Ecology Action group to study and make a recommendation concerning a resolution received from the City of Modesto. The resolution urged the League of California Cities and the County Supervisors' Association of California to seek action to alleviate the problem of litter and waste disposal created by the sale of beverages in disposable, non-returnable containers. The City Clerk read a letter from Mrs. Jan Holthouse, Corresponding Secretary for the Lodi Ecology Action group, urging the Council to adopt a similar resolution to that adopted by the City of Modesto. On motion of Councilman

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Ehrhardt, Kirsten second, the Council adopted Resolution No. 3457 urging the League of California Cities and the County Supervisors' Association of California to seek action to alleviate the problem of litter and waste disposal created by the sale of beverages in disposable, non-returnable containers.

Mrs. Lynn Victor, 120 North California Street, thanked the Council for its support of the Ecology Action group and requested it to support the above resolution when it is presented to the Central Valley Division of the League of California Cities at its quarterly meeting on January 28. The Mayor assured Mrs. Victor the Council would be pleased to do this.

DEPT. OF  
HUMAN  
RESOURCES  
RE JOBS FOR  
VETERANS

A letter was read from Mr. James G. Dwyer, Employment Service Manager of the State Department of Human Resources Development, 200 East Oak Street, Lodi, requesting the Mayor to appoint a task force to promote the aims of the "Jobs for Veterans" campaign which is being conducted throughout the Nation.

RES. OF  
APPRECIATION -  
ED DEBENEDETTI

On motion of Councilman Kirsten, Katnich second, the City Council adopted a Resolution of Appreciation (Resolution No. 3458) in recognition of Recreation and Parks Director Ed DeBenedetti's services to the community the past 25 years.

RES. NO. 3458

CLERGY WEEK

At the request of the Lodi Civitan Club, Mayor Schaffer proclaimed the week of January 31, 1971 through February 6, 1971 as "Lodi Civitan Clergy Week" in the City of Lodi.

MAYOR -  
"MAN OF THE  
YEAR"

Councilman Kirsten congratulated Mayor Schaffer on having been awarded the William T. Harkins' Outstanding Man of the Year award for 1970 by the Lodi District Chamber of Commerce.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$635,693.61 were approved on motion of Councilman Kirsten, Ehrhardt second.

MAINTENANCE  
AGREEMENT  
WITH STATE

On motion of Councilman Katnich, Hughes second, the Council adopted Resolution No. 3459 approving the revised Agreement with the State Division of Highways for Maintenance of State Highway within the City of Lodi and authorized the Mayor to execute same on behalf of the City.

RES. NO. 3459

HOLIDAY  
OBSERVANCE

City Manager Graves reported that action of the 1970 Legislature amended Section 6700 of the Government Code concerning State observance of holidays. The League of California Cities reports that cities have generally accepted the new schedule. The International Brotherhood of Electrical Workers

RES. NO. 3460

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has accepted the new schedule and the San Joaquin County Employees' Association have, or will soon, take action to adopt the new holidays. The City Manager recommended the City Council adopt the revised schedule of holidays. On motion of Councilman Kirsten, Hughes second, the Council adopted Resolution No. 3460 amending the "Rules for Personnel Administration," Rule 9, Section 6 to read as follows:

"Section 6. Holidays: The following shall be observed as holidays during which City offices, except those providing emergency and essential services, shall be closed: January 1, the third Monday in February, the last Monday in May, July 4, the first Monday in September, September 9, the fourth Monday in October, Thanksgiving Day, and December 25. Holidays which fall on Sunday will be observed on the Monday following. When a holiday falls on a Saturday, all employees will be granted that holiday time off to be taken at a later date and at such time, within one year, as is mutually agreed to by the individual employee and his department head.

Resolution No. 3460 is to become effective immediately.

#### LIABILITY INSURANCE

The Council heard a report from the City Manager concerning the City's liability insurance for the year 1971 to 1972. He explained that the City's Agent of Record, Mr. Max Elson, had submitted proposals for City coverage with a considerable increase in premium costs. The increase is a result of three causes - a general increase in liability rates; the increase in City payroll; and a 57% loss ratio experienced last year.

Mr. Elson, who was in the audience, discussed the increase in premium and answered questions of the Council.

Councilman Kirsten then moved Council approval of the City's liability insurance coverage for the year 1971 in accordance with the recommendation of the City's Agent of Record, Mr. Max Elson. The motion was seconded by Councilman Ehrhardt and carried by unanimous vote.

#### CITY CAB CO. RATE INCREASE REQUEST

City Manager Graves presented a request from the City Cab Company for a rate increase. The request is for an increase from \$.60 per 1/5 mile to \$.70 per 1/6 mile.

Mr. Melvin Brown, owner of the City Cab Company, 510 East Lodi Avenue, who was in the audience, stated that because of increase in operating expenses

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he had found it necessary to request the rate increase. He provided each of the Councilmen with a copy of the Cab Company's income statement for the past year and answered questions of the City Council concerning the operation of his business and the proposed rate increase. After considerable Council discussion, Councilman Hughes said he would like to receive information concerning rates charged in other cities before making a decision. He then moved the matter be continued to the next regular meeting on February 3, 1971 at which time the Council would act on the request. The motion was seconded by Mayor Schaffer and carried by unanimous vote. Mayor Schaffer then instructed the City Manager to obtain information concerning rates charged by taxicab companies in comparable cities and to submit this information to the Council prior to the next meeting.

AWARD - AUTO  
RES. NO. 3461

City Manager Graves presented bids received for the furnishing of an automobile for the Planning Department as follows:

Loewen Auto Company	\$3,306.81
Geweke Ford	3,323.87
Mitchell Chrysler- Plymouth, Inc.	3,451.99

The City Manager recommended the award be made to the low bidder, Loewen Auto Company. On motion of Councilman Kirsten, Ehrhardt second, the Council adopted Resolution No. 3461 awarding the contract for the furnishing of one automobile to the low bidder, Loewen Auto Company for a total amount of \$3,306.81.

AWARD - CAB  
& CHASSIS  
RES. NO. 3462

Bids were also received for a one-half ton cab and chassis (Pound truck) for the Police Department as follows:

Geweke Ford	\$2,035.14
Loewen Auto Company	2,157.00

The City Manager recommended the award be made to the low bidder, Geweke Ford. On motion of Councilman Ehrhardt, Kirsten second, the Council adopted Resolution No. 3462 awarding the contract for the furnishing of one one-half ton cab and chassis to the low bidder, Geweke Ford, for a total amount of \$2,035.14.

SCHOOL  
CROSSWALK -  
E SIDE CORTEZ  
ACROSS VINE ST.

RES. NO. 3463

The City Manager presented a recommendation from the Public Works Director that a crosswalk be established across Vine Street on the east side of Cortez Way, with the understanding that if students continue to cross Vine Street at Ham Lane, the School Safety Patrol will be re-established there. This crosswalk was requested by Mr. Ralph Wetmore, Principal of Lodi Senior Elementary School. On motion of Councilman Katnich, Ehrhardt second, the Council adopted Resolution No. 3463 establishing a crosswalk across Vine Street on the east side of Cortez Way as recommended.

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ESTABLISH  
"YIELD" SIGN -  
L. SACTO RD.

RES. NO. 3464

On motion of Councilman Ehrhardt, Kirsten second, the City Council adopted Resolution No. 3464 establishing a "Yield" sign for the right turn movement on the south approach of Lower Sacramento Road with Lodi Avenue.

LAFCO

Councilman Ezra Ehrhardt reported on a meeting of the Local Agency Formation Commission he attended on January 15, 1971.

COUNCIL  
MEETING  
TIME

City Attorney Mullen reported that a representative of the press had suggested that the Council meetings start at 7:30 p.m. rather than 8:00 p.m. Mayor Schaffer said he would consider this suggestion and discuss it at a future meeting.

EXECUTIVE  
SESSION

Mayor Schaffer adjourned the meeting to an executive session at approximately 10:50 p.m. The Council reconvened at 11:00 p.m.

DR. BRECKENRIDGE  
TO PLANNING COM.

Mayor Schaffer stated he wished to appoint Dr. C. Robert Breckenridge to the Planning Commission to fill the unexpired term of Mr. Richard March, ending June 30, 1973. On motion of Councilman Kirsten, Katnich second, the Council concurred in the appointment of Dr. Breckenridge to fill the unexpired term of Mr. March on the Planning Commission.

J. BACARRO  
TO CAC

Mayor Schaffer also stated he wished to appoint Mr. Joseph Bacarro to serve as the City's representative on the Board of Directors of the Community Action Council. On motion of Councilman Katnich, Kirsten second, the Council concurred in the appointment of Mr. Bacarro as the City's representative on the Board of Directors of the Community Action Council.

SALARY ESTAB.  
ASST. CITY  
ATTORNEY

Councilman Kirsten moved adoption of Resolution No. 3465 establishing a salary of \$1800 per year and inclusion in the City's medical insurance coverage for the Assistant City Attorney, effective January 1, 1971. The motion was seconded by Councilman Ehrhardt and carried.

## ORDINANCES

REZONE 235 E.  
KETTLEMAN LN  
TO C-2 DISTRICT

ORD. NO. 942  
ADOPTED

ORDINANCE NO. 942, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING A PARCEL LOCATED ON THE NORTH SIDE OF EAST KETTLEMAN LANE BETWEEN SOUTH STOCKTON STREET AND SOUTH WASHINGTON STREET TO BE IN THE C-2, GENERAL-COMMERCIAL DISTRICT," having been introduced at a regular meeting January 6, 1971, was brought up for passage on motion of Councilman Kirsten, Hughes second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:



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Ayes: Councilmen - Ehrhardt, Hughes,  
Katnich, Kirsten and  
Schaffer

Noes: Councilmen - None


Absent: Councilmen - None

EXTRA  
MEETINGS

Mayor Schaffer informed the Council he would like to continue having an extra Council meeting on the second Wednesday of each month. The Council agreed.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:10 p.m. on motion of Councilman Kirsten, Ehrhardt second.

Attest:   
BESSIE L. BENNETT  
City Clerk